

REMARKS/ARGUMENTS

This amendment responds to the Final Office action mailed on January 12, 2005. Claims 1-32 are pending in the present application. Claims 1-32 are rejected. Independent claims 1, 10, 16 and 25 have been amended.

A telephone interview was conducted on March 17, 2005 between Attorneys for Applicant and Examiner Vaughn and Supervisory Examiner Hong. During the interview, all parties agreed that Pavley does not disclose the present invention.

The present invention is a method and system for allowing customization of tags in digital images. According to the present invention, users or software developers may store metadata defining custom tags for different camera applications on the server, such that when the images are uploaded to a gateway server, the server can automatically recognize and read the custom tags using the corresponding definitions. Thus, the present invention provides a metadata Internet platform that eliminates the need for developers to write their own web applications to recognize the custom tags in the image files. However, Supervisory Examiner Hong suggested that claim 1 of the present invention might more clearly distinguish 'custom tags' from Pavley's 'user tags'. Applicant thanks Examiner Vaughn and Supervisory Examiner Hong for their courtesy and helpfulness.

In light of Supervisory Examiner Hong's suggestion, independent claims 1, 10, 16 and 25 were amended to recite "creating one or more custom tags from one or more image tags by storing on a server on a network a key ID and a definition of the one or more custom tags that alters a function of the one or more image tags." Additionally, claim 1 has been amended to recite that the image files are automatically recognized by the key ID and that the corresponding stored definition is used to extract the data

from the custom tags to make the data available to a user along with the image data.

Support for the amendments is found throughout the specification and in particular at page 7, lines 6-8 and page 8, lines 8-12. No new matter has been added.

Claims 1, 7, 8-10, 16, and 22-24 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,445,460 to Pavley (Pavley). Claims 2, 3, 11, 12, 17, 18, and 25-29 were rejected under 35 U.S.C. 103(a) as being unpatentable over Pavley in view of U.S. Patent No. 6,581,094 to Gao (Gao). Claims 4-6, 13-15, 19-21 and 30-32 were rejected under 35 U.S.C. 103(a) as being unpatentable over Pavley in view of Gao, and in further view of U.S. Patent No. 6,583,799 to Manolis et al. (Manolis).

As discussed during the telephone interview, Pavley fails to teach or suggest the claims of the present invention. For example, Pavley fails to teach or suggest “creating one or more custom tags from one or more image tags by storing on a server on a network a key ID and a definition of the one or more custom tags that alters a function of the one or more image tags.” Additionally, Pavley fails to teach or suggest that the image files are automatically recognized by the key ID and that the corresponding stored definition is used to extract the data from the custom tags to make the data available to a user along with the image data.

Although Pavley discloses user tags that include those labels that a user specifies for a given image, often referred to as ‘stamps,’ such as ‘birthday’ or ‘vacation,’ etc., that aids in personal categorization or the images of any text data (col. 5, lines 3-6), Pavley fails to disclose that the function of the tags is altered in any way or the creation of custom tags. Therefore, Pavley fails to teach or suggest “creating one or more custom tags from one or more image tags by storing on a server on a network

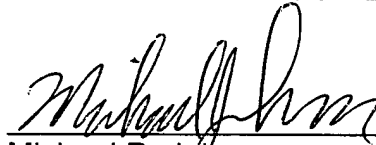
a key ID and a definition of the one or more custom tags that alters a function of the one or more image tags," as recited in claim 1.

Independent claims 10, 16 and 25 include similar recitations as claim 1, and are therefore in condition for allowance.

Because the secondary references stand or fall with the primary references, and the secondary references fail to cure the deficiencies of Pavley, the dependent claims are allowable because they are dependent upon the allowable independent claims. In view of the foregoing, claims 2-9, 11-15, 17-24 and 26-32, which depend on claims 1, 10, 16 and 25 respectively, are therefore in condition for allowance.

Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,
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